

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application:	)	I hereby certify that the deposited with the Un
Michael D. Zieles, et al.	) ) Before the Examiner	first class mail in an e Commissioner for Pa Alexandria, VA 2231
Serial No. 10/627,051	) (Unknown) )	Septe (Dat
Filed July 25, 2002	) Group Art Unit	Name of Reg
THROTTLE CONTROL AND FAILURE ACCOMMODATION	) Our Ref.: 8222-52	Septer

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 10, 2003

(Date of Deposit)

John H. Allie

Name of Registered Representative

Signature

September 10, 2003

Date of Signature

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. §1.56, Applicants wish to bring to the attention of the Examiner the references listed on the enclosed Information Disclosure Statement. These references have not been previously submitted in this application, nor heretofore cited by the examiner.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to the patentability as defined in §1.56(b).

This Statement is being submitted within three months of the filing date of the application and prior to the mailing of any Office Action on the merits. It is believed that no fee is required

for consideration of the submitted item. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By:\_\_\_\_

John H. Allie Reg. No. 39,088

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008222-000052.JHA/jmp.238323

008222-000052.JHA.231882 WEMMH/SB/08A (4/03)
Approved for use through 10/31/2002. OMB 0651-0031
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of

Complete if Known				
Application Number	10/627,051			
Filing Date	July 25, 2003			
First Named Inventor	Michael D. Zieles, et al.			
Group Art Unit	Unknown			
Examiner Name	Unknown			
Attornev Docket Number	8222-52			

			U.S. PATEN	T DOCUMENTS	
Examiner Cite		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines where
Initials* N	No.'	No. <sup>1</sup> Number-Kind Code <sup>2</sup> (If known)	MM-DD-YYYY	Application of Cited Document	Relevant Passages or Relevant Figures Appear
		4,833,613	05-23-1989	Mack et al.	
		4,887,491	12-19-1989	Holbrook et al.	
		4,922,425	05-01-1990	Mack et al.	
		5,056,022	10-08-1991	Witkowski et al.	
		5,109,721	05-05-1992	Boardman et al.	
		5,268,842	12-07-1993	Marston et al.	
		5,305,215	04-19-1994	Brekkestran et al.	
		5,406,483	04-11-1995	Kallis et al.	
		5,626,120	05-06-1997	Akatsuka	
		5,629,852	05-13-1997	Yokoyama et al.	
		5,685,268	11-11-1997	Wakemen	
	$\sim$	5,937,826	08-17-1999	Olson et al.	-,
		6,053,147	04-25-2000	Hemmerlein et al.	
		6,076,504	06-20-2000	Stavnheim et al.	
		6,253,136	06-26-2001	Stratton et al.	
		6,293,251	09-25-2001	Hemmerlein et al.	10. 980.
					797

Examiner Cite No.1	Cite	Cite Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	No. <sup>1</sup>	als* No.1 Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (If known)				
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Examiner Signature	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the ap0propriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.